REMARKS

I. Claim Amendments:

Applicants propose to amend claim 18. Support for the amendments may be found in the specification at, for example, at page 10, line 9 - page 11, line 29, and page 12, line 5 - page 13, line 9. Upon entry of this Amendment after Final, claims 18-22 and 24-34 remain pending, with claims 29-33 withdrawn from consideration, and claims 18-22, 24-28, and 34 under current examination.

II. Final Office Action:

Applicants respectfully traverse the rejections made in the Final Office Action mailed February 11, 2010, wherein the Examiner:

> (1) rejected claims 18, 24-28, and 34 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent App. Pub. No. 2003/0115421 ("*McHenry*") in view of U.S. Patent App. Pub. No. 2002/0152318 ("*Menon*"), U.S. Patent App. Pub. No. 2002/0010798 ("*Ben-Shaul*"), and U.S. Patent App. Pub. No. 2003/0028564 ("*Sanfilippo*");
>
> (2) rejected claims 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over *McHenry* in view of *Menon*, *Ben-Shaul* and *Sanfilippo*, and further in view of U.S. Patent No. 6,829,613 ("*Liddy*");
>
> (3) rejected claim 21 under 35 U.S.C. § 103(a) as being unpatentable over *McHenry* in view of *Menon*, *Ben-Shaul* and *Sanfilippo*, and further in view of U.S. Patent App. Pub. No. 2002/0062300 ("*Asadov*"); and
>
> (4) rejected claim 22 under 35 U.S.C. § 103(a) as being unpatentable over *McHenry* in view of *Menon*, *Ben-Shaul*, *Sanfilippo*, and *Asadov*, and further in view of U.S. Patent App. Pub. No. 2002/0188681 ("*Gruen*").

III. Rejections of Claims 18-22, 24-28, and 34 under 35 U.S.C. § 103(a):

Applicants request reconsideration and withdrawal of the rejections of claims 18-22, 24-28, and 34 under 35 U.S.C. § 103(a) as being unpatentable over *McHenry*, in view of one or

more of *Menon*, *Ben-Shaul*, *Sanfilippo*, *Liddy*, *Asadov*, and *Gruen*. *See* Final Office Action, pp. 3-12.

Contrary to the assertions of the Final Office Action, the recited references, taken alone or in any combination, do not teach or suggest at least the following features of amended claim 18, for example:

> determining an interest value for each category based on statistical data indicative of user interest in the distributed contents associated with the respective category;
>
> ...
>
> identifying at least one category, from said predefined categories, when the distributed contents associated with the category have an interest value that exceeds the interest threshold; and
>
> making at least one of the identified contents associated with said identified category available for distribution at surrogate servers.

Instead, *McHenry* discloses an "operating environment 10 ... providing for ... distribution of content throughout a geographically distributed enterprise." *McHenry*, paragraph [0025]. The operating environment disclosed by *McHenry* includes "[o]ne or more content origin server systems...[that] provide content," and "[e]nterprise network edge servers 22, 24...[that] transfer requested content to the clients 16, 18." *Id.* "[V]arious operational information, such as content and user access frequencies and response performance, are reported back by the enterprise network edge servers 22, 24." *McHenry*, paragraph [0031]. "The content objects are then grouped 94 for purposes of assigning action rules 96 in common to grouped objects." *McHenry*, paragraph [0041].

The Final Office Action further alleged that *McHenry*'s "a plurality of content groups" (*McHenry*, paragraph [0013]) correspond to the claimed "predefined categories." *See* Final Office Action, p. 4. The Final Office Action also interpreted *McHenry*'s "user access

frequencies" as corresponding to the claimed "user interest." *See* Final Office Action, pp. 4-5. These allegations are incorrect.

First, *McHenry*'s "user access frequencies" do not constitute the claimed "interest value," because the "user access frequencies" are determined "for each category based on statistical data ... associated with the respective category," as recited by amended claim 18. Indeed, *McHenry*'s "user access frequencies" have nothing to do with each of its "plurality of content groups." Accordingly, since the "user access frequencies" are not associated with respective "content groups," *McHenry* also fails to teach or suggest "identifying at least one category, from said predefined categories, when the distributed contents associated with the category have an interest value that exceeds the interest threshold," as recited by claim 18.

Furthermore, the Final Office Action alleged that content on *McHenry*'s "enterprise network edge servers" (*McHenry*, paragraph [0025]) and "origin server systems" (*id.*) correspond to the claimed "distributed contents" and "remaining contents that have not been distributed," respectively. *See* Final Office Action, p. 3. Even accepting this allegation, solely for the sake of argument, *McHenry* neither teaches nor suggests making contents at the "origin server systems" available for distribution if they are associated with the same category as certain contents at the "enterprise network edge servers," where those contents at the "enterprise network edge servers" have an interest value exceeding an interest threshold. That is, *McHenry* fails to teach or suggest "making at least one of the identified contents associated with said identified category available for distribution at surrogate servers," as recited by claim 18.

Conceding that *McHenry* "does not explicitly disclose receiving an input of an interest threshold to be used for identifying content group/category," the Final Office Action cited *Menon* to remedy the deficiency. *See* Final Office Action, pp. 4-5. *Menon* discloses that "if the frequency of access of a particular content goes over a preset threshold, the system can trigger an

operation that eventually results in the 'push' of the content from an origin server ... to the rest of the edge servers." *Menon*, paragraph [0076]. The Final Office Action apparently interpreted *Menon*'s "frequency of access" and "preset threshold" as equivalent to the claimed "interest value" and "interest threshold," respectively. *See* Final Office Action, pp. 4-5. This is incorrect; and *Menon* does not cure the above-discussed deficiencies of *McHenry*.

Menon's "frequency of access" is not determined "for each category based on statistical data ... associated with the respective category," as recited by amended claim 18. Indeed, according to *Menon*, the "frequency of access" is associated with "a particular content" (*Menon*, paragraph [0076]), rather than "each category," as recited by claim 18. Accordingly, since *Menon* only determines "if the frequency of access of a particular content goes over a preset threshold," it cannot identify "at least one category, from said predefined categories, when the distributed contents associated with the category have an interest value that exceeds the interest threshold," as recited by claim 18.

Furthermore, *Menon* discloses that "if the frequency of access of a particular content goes over a preset threshold" (*see Menon*, paragraph [0076]), this same content will be pushed from the origin server, rather than "making at least one of the identified contents [that have not been distributed] associated with said identified category available for distribution at surrogate servers," as recited by claim 18. Indeed, like *McHenry*, *Menon* is silent regarding making undistributed contents available for distribution if they are associated with the same category as certain distributed contents that have an interest value exceeding an interest threshold.

Ben-Shaul and *Sanfilippo*, taken either alone or in combination, do not cure the deficiencies of *McHenry* because they also fail to teach or suggest the above-quote claim features recited in amended claim 18. Instead, *Ben-Shaul* is merely cited for its alleged teaching of "semantics affinity" and *Sanfilippo* is merely cited for its alleged teaching that "the semantics

affinity is calculated as the distance between the additional content and the reference content." *See* Final Office Action, p. 5-6. However, the Final Office Action does not allege, and *Ben-Shaul* and *Sanfilippo* does not teach or suggest, at least Applicants' claimed "determining," "identifying," and "making" features of claim 18.

Independent claim 18 and its dependent claims 24-28 and 34 should therefore be allowable over *McHenry*, *Ben-Shaul*, and *Sanfilippo*, taken alone or in any combination. Moreover, *Liddy*, *Asadov*, and *Gruen*, whether taken alone or in any combination with *McHenry*, *Ben-Shaul*, and *Sanfilippo*, fail to cure the deficiencies of *McHenry*, *Ben-Shaul*, and *Sanfilippo*, and the Final Office Action does not allege that they do so. Therefore, dependent claims 24-28 and 34 are not obvious over *McHenry*, *Ben-Shaul*, and *Sanfilippo* in view of one or more of *Liddy*, *Asadov*, and *Gruen*, whether taken alone or in any combination, at least by virtue of being dependent from nonobvious base claim 18, and because claims 24-28 and 34 recite additional features not taught or suggested by the cited references. Accordingly, Applicants request the withdrawal of the 35 U.S.C. § 103(a) rejections and allowance of these claims.

IV. Conclusion:

Applicants respectfully request that this Amendment after Final under 37 C.F.R. § 1.116 be entered by the Examiner, placing all of pending claims 18-22, 24-28, and 34 in condition for allowance. Further, entry of this Amendment after Final would place the application in better form for appeal, should the Examiner continue to dispute the patentability of the pending claims.

The Final Office Action contains a number of statements reflecting characterizations of the cited art and related claims. Regardless of whether any such statements are identified herein, Applicants decline to automatically subscribe to any such statements or characterizations.

If there are any remaining issues or misunderstandings, Applicants request the Examiner telephone the undersigned representative to discuss them.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account no. 06-0916.

Respectfully submitted,

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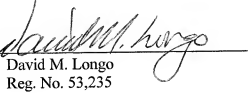
By: 

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